

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re: Sierakowski et al.
Serial No. 10/743,937
Filing Date 12/23/2003
Docket No. Liner-602
For VEHICLE BED LINER

Attn: Group Art Unit 3612
Examiner Gregory A.
Blankenship

December Amendment

Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450:

I certify that this correspondence is deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Office address above on 12/12/05:

Christopher John Rudy: Christopher John Rudy 12 DEC 2005.

Thank you for the 09/13/2005 Office action for the present patent application. In reply thereto, please reconsider and further examine this application: CLAIMS AMENDMENTS follow this page; then SPECIFICATIONS AMENDMENTS follow, and REPLACEMENT DRAWINGS (formal, two sheets) conclude the present paper.

Without entry of new matter this amendment more particularly points out and distinctly claims, more fully describes and more understandingly pictorially illustrates the invention, and is fully supported by the original specification, with the claims most fully supported. Claims 1-3, 7, 11, 15, 17 and 20-23, 25, 27 and 29-35 are now present. Thus, twenty total, including four independent and zero multiply dependent, claims are present; and so, the fee of \$200.00 (CJR check No. 842) is submitted herewith.

As may apply to the present claims, especially Nos. 30-35, the rejections of claims 21 and 22 under 35 USC 102(b) over Darbshire, US 6328364, and of claim 23 under 35 USC 103(a) over Darbshire in view of Vitoorapakorn, US 6692054, are respectfully traversed. Darbshire, cited by Applicants in the I.D.S. filed FEB 17 2004, discloses a pull out drawer system for vehicles and trailers. The tray 300 is not a bed liner as is understood in the art; it is part of that drawer system and moves in relation to the cargo bed. To claim this more distinctly, new independent claim 30 requires a combination of the liner otherwise of former claim 21 immovably secured to a vehicle bed, which amended FIG. 3 now depicts. (Present claim 21 incorporates the limitations of allowable former claim 24.) As correctly agreed by the Examiner in the prosecution leading to Darbshire '364, the art of movable pull out drawer systems is nonanalogous to the art of stationary bed liners, represented by Vitoorapakorn '054. Thus, Darbshire cannot be applied under Sec. 103(a). Moreover, claims 21-23 had been previously allowed, and the very high standard for rejecting them again is not met. Dependent claims 31-35 distinguish over the art as well. Please, therefore, withdraw these rejections.

Respectfully submitted,

Dated: Dec. 12, 2005 A.D.

Attmts

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